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10/038,202	12/21/2001	Jeri L. Callaway	200301965-1	8443

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EXAMINER

PITARO, RYAN F

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/038,202

Applicant(s)

CALLAWAY ET AL.

Examiner

Ryan F. Pitaro

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-22 and 24-50 is/are pending in the application.
- 4a) Of the above claim(s) 33-43 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1,2,4-22 and 24-50 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-2,4-22,24-50 have been examined.

Response to Amendment

2. This communication is responsive to Amendment C, filed 7/21/2006.
3. Claims 1-2,4-22,24-50 are pending in this application. Claims 1,13, 25,33, and 37 are independent claims. This action is FINAL.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 4-6, 8-16,18-22,24,44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raff ("Raff", US 6,785,868) in view of Gotou ("Gotou", US6,020,828).

As per claim 1, Raff teaches a device for managing a combination of family-related matters and work-related matters, the device comprising: a processor (Figure 5); a calendaring program running on the processor (Column 9 line 63 – Column 10 line 33); calendaring program adapted to provide at least one calendar corresponding to family-related matters (Column 10 lines 39-52), at least one calendar corresponding to

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work-related matters (Column 10 lines 39-52), and at least one calendar corresponding to a merger of the family-related matters and the work-related matters (Column 10 lines 53-63), the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family –related matters and the work-related matters (Column 10 lines 53-63); and an input/output stage operably coupled to the processor and adapted to communicate with a remote device to update the calendars (col.5, lines 41-47) corresponding to family-related matters and the at least one calendar corresponding to work –related matters (Column 8 lines 54-65). However, Raff fails to distinctly point out icons as known in the art. However, Gotou teaches display icons that distinguish between the family related matters and the work related matters (Column 3 lines 1-15). Therefore it would have been obvious to an artisan at the time of the invention to combine the icon teaching of Gotou with the device of Raff. Motivation to do so would have been to provide a desired meaning to each of the icons so that a user can quickly identify an association.

As per claim 2, Raff-Gotou teaches the device comprising at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (Raff, Column 6 lines 25-33).

As per claim 4, Raff-Gotou teaches the device wherein the input/output stage comprises at least one of an infrared link, a cellular link, a hard-wired link, an intranet link, and an Internet link (Raff, Column 8 lines 8-11).

As per claim 5, Raff-Gotou teaches the device wherein the remote device comprises a host computer (Raff, Column 8 lines 30-53).

As per claim 6, Raff-Gotou teaches the device wherein the host computer comprises a public host computer (Raff, Column 10 lines 1-10).

As per claim 8, Raff-Gotou teaches the device wherein the remote device comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (Raff, Column 8 lines 54-65).

As per claim 9, Raff-Gotou teaches the device wherein the host computer comprises a barrier to separate the work-related matters from the family-related matters (Raff, Figure 15).

As per claim 10, Raff-Gotou teaches the device wherein the at least one calendar corresponding to family-related matters comprises at least one of a daily family-related

calendar, a weekly family-related calendar, and a monthly family-related calendar (Raff, Figure 15).

As per claim 11, Raff-Gotou teaches the device wherein the at least one calendar corresponding to work-related matters comprises at least one of a daily work-related calendar, a weekly work-related calendar, and a monthly work-related calendar (Raff, Figure 15).

As per claim 12, Raff-Gotou teaches the device wherein the at least one calendar corresponding to the merger of family-related matters and work-related matters comprises at least one of a daily merged calendar, a weekly merged calendar, and a monthly merged calendar (Raff, Figure 17).

As per independent claim 13, Raff teaches a system for managing a combination of family-related matters and work-related matters, the system comprising: a first device designated as a hub (Column 11 lines 64-67); a plurality of second devices (Column 12 lines 1-12); a host computer adapted to communicate with the first device and with the plurality of second devices (Column 11 line 64 – Column 12 line 12); and a calendaring program running on at least the first device (Column 9 line 63 – Column 10 line 33), the calendaring program adapted to provide at least one calendar corresponding to family-related matters (Column 10 lines 39-52), at least one calendar corresponding to work-related matters (Column 10 lines 39-52), and at least one

calendar corresponding to a merger of the family-related matters and the work-related matters (Column 10 lines 53-63), the calendaring program adapted to update the calendars in response to communication between the first device and the host computer, the at least one calendar corresponding to the merger of the family-related matters and the work-related matters adapted to display icons that distinguish between the family –related matters and the work-related matters (Column 8 lines 54-65).

However, Raff fails to distinctly point out icons as known in the art. However, Gotou teaches display icons that distinguish between the family related matters and the work related matters (Column 3 lines 1-15). Therefore it would have been obvious to an artisan at the time of the invention to combine the icon teaching of Gotou with the device of Raff. Motivation to do so would have been to provide a desired meaning to each of the icons so that a user can quickly identify an association.

As per claim 14 Raff-Gotou teaches the system wherein the first device comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (Raff, Column 11 lines 64-67).

As per claim 15, Raff-Gotou teaches the system wherein each of the plurality of second devices comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (Raff, Column 12 lines 1-12).

Claim 16 is similar in scope to that of claim 6 and is therefore rejected under similar rationale.

As per claim 18, Raff-Gotou teaches the system wherein the host computer communicates both the family-related matters and the work-related matters to the first device, and wherein the host computer communicates only one of the family-related matters or the work-related matters to each of the plurality of second devices (Raff, Column 11 line 64 – Column 12 line 29).

As per claim 19 Raff-Gotou teaches the system comprising at least one of an infrared link, a cellular link, a hard-wired link, an intranet link, and an Internet link between the host computer and the first device and between the host computer and each of the second devices (Raff, Column 8 lines 8-11, Column 6 lines 25-33).

Claim 20 is similar in scope to claim 9, and is therefore rejected under similar rationale.

Claim 21 is similar in scope to claim 10, and is therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 11, and is therefore rejected under similar rationale.

Claim 24 is similar in scope to claim 12, and is therefore rejected under similar rationale.

As per claim 44, Raff-Gotou teaches the device wherein the icons comprise a first icon associated with the family-related matters and a second icon associated with the work-related matters, the first icon being different in appearance than the second icon (Gotou, Column 3 lines 1-15).

As per claim 45, Raff-Gotou teaches the device wherein the first icon resembles a house and wherein the second icon resembles an office building (Gotou, Column 3 lines 1-15).

Claim 46 is similar in scope to that of claim 44 and is therefore rejected under similar rationale.

Claim 47 is similar in scope to that of claim 45 and is therefore rejected under similar rationale.

6. Claims 7,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raff ("Raff", US 6,785,868) and Gotou ("Gotou", US 6,020,828) in view of Edwards et al ("Edwards", US 2002/0078379).

As per claim 7, Raff-Gotou fails to specifically point out a private host computer. However, Edwards teaches a method, wherein the host computer comprises a private host computer ([0010]-[0012]). Therefore it would have been obvious to an artisan at the time of the invention to combine the private computer of Edwards with the method of Raff-Gotou. Motivation to do so would have been to provide a secure way of accessing applications, programs, and capabilities of the device.

Claim 17 is similar in scope to claims 7 respectively, and is therefore rejected under similar rationale.

7. Claims 25-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raff ("Raff", US 6,785,868) in view of Edwards et al ("Edwards", US 2002/0078379).

As per independent claim 25, Raff teaches a system for managing a combination of family-related matters and work-related matters, the system comprising: a family/work device (Figure 15); a plurality of work devices (Column 12 lines 1-10); a plurality of family devices (Column 12 lines 1-10) a public host computer communicatively coupled to the family/work device and to the plurality of family devices, the public host computer maintaining family-related matters (Column 12 lines 1-10); and a calendaring program running on at least the family/work device (Column 10 lines 10-52), at least one calendar corresponding to work-related matters (Column 10 lines 10-52), the calendaring program adapted to update the at least one calendar corresponding to family-related matters and the at least one calendar corresponding to work-related matters in response to communication between the family/work device and the host computers (Column 9 lines 9-62). Raff fails to specifically point out a private host computer. However, Edwards teaches a method, wherein the host computer comprises a private host computer ([0010]-[0012]). Therefore it would have been obvious to an artisan at the time of the invention to combine the private computer of Edwards with the method of Raff. Motivation to do so would have been to provide a secure way of accessing applications, programs, and capabilities of the device.

As per claim 26, Raff-Edwards teaches the system wherein the family/work device comprises at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (Raff, Column 6 lines 25-33).

As per claim 27, Raff-Edwards teaches the system wherein each of the plurality of work devices and each of the plurality of family devices comprise at least one of a personal computer, a laptop computer, a handheld computer, a cellular telephone, a personal digital assistant, and a pager (Raff, Column 8 lines 54-65).

As per claim 28 Raff-Edwards teaches the system comprising at least one of an infrared link, a cellular link, a hard-wired link, an intranet link, and an Internet link between the private host computer and the family/work device, between the private host computer and each of the work devices, between the public host computer and the family/work device, and between the public host computer and each of the family devices (Raff, Column 8 lines 8-11, Column 6 lines 25-33).

As per claim 29, Raff-Edwards teaches the at least one calendar corresponding to family-related matters comprises at least one of a daily family-related calendar, a weekly family-related calendar, and a monthly family-related calendar (Raff, Figure 15).

As per claim 30, Raff-Edwards teaches the device wherein the at least one calendar corresponding to work-related matters comprises at least one of a daily work-related calendar, a weekly work-related calendar, and a monthly work-related calendar (Raff, Figure 15).

As per claim 31, Raff-Edwards teaches the calendaring program is adapted to provide at least one calendar corresponding to a merger of the family-related matters and the work-related matters (Raff, Figure 17).

As per claim 32, Raff-Edwards teaches the device wherein the at least one calendar corresponding to the merger of family-related matters and work-related matters comprises at least one of a daily merged calendar, a weekly merged calendar, and a monthly merged calendar (Raff, Figure 17).

8. Claims 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raff ("Raff", US 6,785,868) in view of Edwards et al ("Edwards", US 2002/0078379) in view of Gotou ("Gotou", US 6,020,828).

As per claim 48, Raff-Edwards fails to distinctly point out icons as known in the art. However, Gotou teaches display icons that distinguish between the family related matters and the work related matters (Column 3 lines 1-15). Therefore it would have been obvious to an artisan at the time of the invention to combine the icon teaching of Gotou with the device of Raff-Edwards. Motivation to do so would have been to provide a desired meaning to each of the icons so that a user can quickly identify an association.

As per claim 49, Raff-Edwards-Gotou teaches the device wherein the icons comprise a first icon associated with the family-related matters and a second icon associated with the work-related matters, the first icon being different in appearance than the second icon (Gotou, Column 3 lines 1-15).

As per claim 50, Raff-Edwards-Gotou teaches the device wherein the first icon resembles a house and wherein the second icon resembles an office building (Gotou, Column 3 lines 1-15).

Response to Arguments

Applicant's arguments filed 7/21/2006 have been fully considered but they are not persuasive. Applicant argues that calendars are not directed towards work related and family related matters, however, each of the calendars do in fact teach the work and family related matters respectively. While these calendars are not exclusively for work and family matters they still meet the claimed limitations. Even in the event that limitations were stated that only work and only family matters appear on the calendar the art would still hold since this is non functional descriptive material. Regardless of what type of information appears on the calendar ^{it} ~~it~~ does not affect the functionality of ^{KK} the system, and therefore is not patentably distinct.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F. Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Art unit 2174
Patent Examiner

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